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ATTY. DOCKET: 1400-70 (1704)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Mehul Patel et al. Examiner: Not Yet Assigned
Serial No.: 10/803,663 Group Art Unit: Not Yet Assigned
Filed: March 18, 2004 Dated: June 16, 2004
For: **SYSTEM AND METHOD FOR SENSING AMBIENT
LIGHT IN OPTICAL CODE READER**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. Copies of the listed items are not enclosed as the Office hereby waives the requirement under 37 CFR 1.98.

The citation of the listed items are not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Dated: June 16, 2004

Tricia D'Agostino

listed are identified in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible. The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in

37 C.F.R. ' 1.56(b).

- ☒ [X] This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ [] This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. ' 1.491 in an international application.
- ☒ [X] To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ [] Enclosed herewith is a certificate under 37 C.F.R. ' 1.97(e)(1).
- ☐ [] Enclosed herewith is a petition under 37 C.F.R. ' 1.97(d)(ii).
 - ☐ [] Enclosed by check is the petition fee of \$130.00. (37 C.F.R. ' 1.17(i)(1))
 - ☐ [] Please charge the \$130.00 petition fee to Deposit Account No. 50-2140.
- ☐ [] Enclosed by check is the \$180.00 fee required by 37 C.F.R. ' 1.17(p).
- ☐ [] Please charge the \$180.00 fee required by 37 C.F.R. ' 1.17(p) to Deposit Account No. 50-2140.
- ☒ [X] Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. ' 1.16 and/or ' 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to

Deposit Account 50-2140. Also, in the event any extensions of time for responding and/or a petition under 37 C.F.R. '1.17(i)(i) are required for the pending application(s), please treat this paper as a petition to extend the time and/or enter this Information Disclosure Statement as required and charge Deposit Account No. 50-2140 therefor. **TWO (2) COPIES** OF THIS SHEET ARE ENCLOSED. *td*

The claims of the application as now presented are believed to be patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of this application are respectfully requested.

Respectfully submitted,



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